

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SCOTT A. SAMFORD, JR.,	§	
TDCJ #835644,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-06-0279
	§	
ASSISTANT WARDEN C.S.	§	
STAPLES, <i>et al.</i> ,	§	
Defendants.	§	

ORDER

On July 21, 2006, this Court dismissed the civil rights complaint filed by state inmate Scott Samford. Samford has filed a notice of appeal from that decision. He has also filed a motion for leave to proceed *in forma pauperis* and he asks the Court to accept an unsworn declaration in lieu of a certified inmate trust fund account statement in support of that motion. The unsworn declaration states that Samford has a balance of less than \$10.00 in his inmate trust fund account, and that he has not had more than \$20.00 deposited at any one time in the last six months. It is **ORDERED** that Samford's motion to accept the unsworn declaration in lieu of an inmate trust fund account statement (Doc. # 37) is **GRANTED**.


The Prison Litigation Reform Act (the "PLRA") requires prisoners filing any civil action or appeal to pay an initial partial filing fee. *See* 28 U.S.C. § 1915(b)(1). The PLRA also requires prisoners to pay the balance of the full appellate filing fee of \$455. Based on the information provided by the plaintiff, the Court further **ORDERS** that:

1. The motion for leave to proceed *in forma pauperis* (Doc. #36) is **GRANTED**.

2. The plaintiff is assessed an initial partial filing fee of \$1.00. The agency having custody of the plaintiff shall collect this amount from the plaintiff's inmate trust fund account or institutional equivalent, when funds are available, and forward it to the Court.
3. Thereafter, the plaintiff shall pay \$454.00, the balance of the filing fees, in periodic installments as required by 28 U.S.C. § 1915(b). The agency shall collect this amount from the plaintiff's inmate trust account or institutional equivalent and forward it to the Court.
4. The plaintiff is responsible for signing all consents and other documents required by the agency having custody of plaintiff to authorize the necessary withdrawal from the plaintiff's inmate trust account.

The Clerk will send copies of this order to the parties, to TDCJ - Office of the General Counsel, Capitol Station, P.O. Box 13084, Austin, Texas 78711, fax 512-936-2159, and to the TDCJ Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, fax 936-437-4793.

SIGNED at Houston, Texas, on **September 22, 2006.**


Nancy F. Atlas
United States District Judge